

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

EDGAR FERRER, SP 2014-MV-200 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit reduction in certain yard requirements to permit construction of second story addition 15.4 ft. from front lot line. Located at 1220 I St., Alexandria, 22307 on approx. 10,500 sq. ft. of land zoned R-3. Mt. Vernon District. Tax Map 93-2 ((8)) (37) 32 A. (Admin. moved from 12/10/14) Mr. Byers moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on January 28, 2015; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the land.
2. There have been approximately six building permits applied for and approved with regard to this property. There was no issue with this.
3. This was a very reasonable request, given that the applicant had indicated that the temperature had become unbearable upstairs.
4. The total height is six feet, eight inches.
5. The applicant has done a very good job from the standpoint of the property itself making it very attractive.
6. It is a reasonable application from the standpoint of the applicant.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
2. This special permit is approved for the location and size of the addition (177 square feet), as shown on the plat prepared by George M. O'Quinn of Dominion Surveyors Inc., dated August 23, 2014, as revised through December 3, 2014, as submitted with this application and is not transferable to other land.

3. Pursuant to Paragraph 4 of Section 8-922 of the Zoning Ordinance, the resulting gross floor area of an addition to the existing principal structure may be up to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion (2,030 square feet existing + 3,045 square feet (150%) = 5,075 square feet maximum permitted on lot) regardless of whether such addition complies with the minimum yard requirement or is the subject of a subsequent yard reduction special permit. Subsequent additions that meet minimum yard requirements shall be permitted without an amendment to this special permit.
4. The addition shall be generally consistent with the architectural renderings and materials as shown on Attachment 1 to these conditions.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, 30 months after the date of approval unless construction has commenced and has been diligently prosecuted. The Board of Zoning Appeals may grant additional time to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested, and an explanation of why additional time is required.

Mr. Hart seconded the motion, which carried by a vote of 5-0. Ms. Theodore and Mr. Smith were absent from the meeting.

A Copy Teste:

Mary D. Padruitt
Mary D. Padruitt, Deputy Clerk
Board of Zoning Appeals

ACKNOWLEDGEMENT

COUNTY OF FAIRFAX
COMMONWEALTH OF VIRGINIA

The foregoing instrument was acknowledged before me this 4th day of February, 2015.

Lorraine A. Giovino
Notary Public

My commission expires: 6/30/18

